

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND**

ANDREW C., by his next friend)
GREGORY ELLIOTT, for himself and)
those similarly situated, *et al.*,)
Plaintiffs,)
v.) Class Action
GINA M. RAIMONDO, in her official) Civil Action No. 1:07-cv-00241-S-PAS
capacity as Governor of the State of)
Rhode Island, *et al.*,)
Defendants.

**ORDER APPROVING FORM AND MANNER OF NOTICE OF
NEGOTIATED ATTORNEYS' FEES AND EXPENSES**

This matter came before the Court on Plaintiffs' Unopposed Motion for Approval of Negotiated Attorneys' Fees and Expenses (the "Unopposed Motion"). Having reviewed the Unopposed Motion and the negotiated agreement regarding the recovery of Plaintiffs' attorneys' fees and costs (the "Fees Settlement"), the Court hereby orders as follows:

1. Notice to Class Members

On or before March 14, 2018, State Defendants shall, at their sole expense, take the following steps to notify Class members and their legal representatives of the proposed Fees Settlement, as follows:

a. State Defendants shall prepare and transmit a true copy of the Notice of Fees Settlement in

Andrew C., et al. v. Raimondo, et al. to the persons and locations listed below.

- DCYF will post the Notice of Fees Settlement in the DCYF main and regional offices in a conspicuous public place.

b. DCYF will email the Notice of Fees Settlement and ask that it be disseminated to staff and posted in locations in which they are most likely to be seen by Class members and/or their legal representatives, and request that the information remain posted until May 9, 2018, to the following:

- The Chief Judge of the Family Court;
- Each congregate care placement, Assessment and Stabilization Center, group home, residential counseling center, residential treatment center, and child placing agency; and
- The offices of the guardian ad litem(s), and to the Court Appointed Special Advocates.

c. State Defendants shall prominently post the Notice of Fees Settlement on the DCYF website and maintain that posting on the website until May 9, 2018.

d. State Defendants shall also advertise in a newspaper of statewide circulation the filing of the Unopposed Motion for Approval of Negotiated Attorneys' Fees and Expenses and reference the web address where the Notice of Fees Settlement is located on the DCYF website. The State Defendants will certify that the advertisement was submitted for publication by March 14, 2018.

e. Counsel for the parties shall work cooperatively to maximize communication of the Notice of Fees Settlement to Class members and their legal representatives.

f. State Defendants will file with the Court, on or before March 14, 2018, an affidavit certifying compliance with the notice requirements of this order.

2. Comments

- a. Objections, support, or comments by Class members, or their legal representatives, regarding the proposed Fees Settlement will be considered if submitted on or before April 9, 2018 to Children's Rights, Attn: Sara M. Bartosz, 88 Pine Street, Suite 800, New York, NY 10005.
- b. Counsel for the Class will provide counsel for the State any objections, support, or comments received from Class members, their legal representatives, or any other person, entity, or interested party regarding the proposed Fees Settlement and any information received in relation to Paragraph 2(a) within five days of receipt.
- c. Counsel for the Class will submit to the Court all written submissions received from Class members, their legal representatives, or other interested parties, and any written responses to such submissions, on or before April 24, 2018.
- d. Counsel for the Class and for Defendants will have until May 4, 2018, to file responses to any objections by Class members and to provide other information, as appropriate, bearing on whether or not the Fees Settlement should be approved.
- e. The Court will issue its decision on approval of the parties' Fees Settlement and on final approval of the settlement agreement at the fairness hearing scheduled for May 9, 2018.

IT IS SO ORDERED:



The Honorable William E. Smith
Chief Judge, United States District Court

Dated: 1U